

TITLE 14

WATER

Chapter 1 EXTENSION OF WATER SYSTEM

14-1-1. Availability.

That Sandy City Corporation will consider selling water to Salt Lake County residents provided such water is available and such sale in no way deprives the residents of Sandy City of water consumption.

14-1-2. Application.

Any person who qualifies under Section 1 above may make application to Sandy City by petition containing a description of proposed water line extension, accompanied by a map showing the location thereof, which petition shall also contain an offer to advance the whole expense of making same and such expense shall be certified to by the City Manager of Sandy City.

14-1-3. Extension of System.

Residents of Salt Lake County who desires to purchase Sandy City water shall install facilities to extend the then existing City system to meet Sandy City standards and requirements. This extension shall include the purchase and installation of water lines the size and specification of which shall be in accordance with a master plan developed by Sandy City Corporation.

14-1-4. Easement.

Proper easements for perpetual maintenance and replacement of the extended system shall be obtained by the county resident(s), and legal descriptions of such easements shall be submitted to Sandy City for approval before construction begins.

14-1-5. Fire Hydrants, Valves and Fittings.

Fire hydrants, control valves and fittings shall meet Sandy City standards and specifications. Meter locations shall be determined by Sandy City.

14-1-6. Permits.

Excavation permits shall be obtained by the county resident from the proper agency and turned over to Sandy City before any construction on or around a street is begun, and in the case of installation work being done by county residents themselves, only licensed and bonded contractors shall perform such work. All work shall be inspected and approved by Sandy City within thirty (30) days of installation, or service shall be withdrawn.

14-1-7. Connection Fees.

Connection fees shall be charged county residents in conformance with the rate as established by resolution of the Sandy City Council.

14-1-8. Maintenance.

Sandy City shall accept and maintain all facilities installed from the service meter back to the existing City system after standards and specifications have been met; all responsibility for maintenance of the portion of the system beyond the meter shall be borne by the county resident.

14-1-9. Extensions of Water Mains to Subdivision.

- (a) Whenever any person, firm or corporation subdivides, develops, or builds upon any property within the City and the proper development of the property shall require the installation or extension of a water main from an existing main, the person, firm or corporation seeking approval of the subdivision or development of the said property shall, in addition to any other requirements of the City or its officers, covenant by written agreement that he shall at his own expense and cost make, construct, and lay such extension from the existing main to the proposed subdivision, development or building.
- (b) The said covenant and agreement shall be reviewed by the City Engineer and City Attorney to submittal and shall be submitted at the same time as the original proposed plat or plan.
- (c) The covenant and agreement shall set forth: The distance to be traversed by the extension as well as the route it will take; the size of the main extension and the materials to be used; that the main extension shall not be connected to the City water main until such time as it has been approved and accepted by the City Engineer and acceptable easements of right-of-way maintenance and access have been provided to the City, which easements include the entire length and route of the main extension.
- (d) No such main extension shall be finally approved or accepted until title to the said main shall have been first delivered to the City.
- (e) No such main extension shall be finally approved or accepted until the easements provided for in Section (c) hereof have been delivered to the City.
- (f) Where any person, firm or corporation subdivides or develops property subject to this ordinance and is thereby required to make expenditures which in the opinion

of the City Council should not be borne wholly and solely by said person because other subsequent developments will benefit directly therefrom, the City Council may enter into a contract with the said person whereby he may be reimbursed on a proportionate basis for his actual cost as subsequent users connect to the main extension. Where such a contract is contemplated the person to be so reimbursed shall, immediately prior to final approval and acceptance of the main extension by the City, submit to the City Engineer a verified list of costs which shall form the basis of the reimbursement, taking into consideration the benefit of the line to the person installing it.

- (g) In furtherance of the provision of Section (f) herein and as the need arises, the Council shall direct the City Treasurer to create a special account for receipt of funds to be paid over to the person to be reimbursed. All such funds shall be paid directly to the City Treasurer and credited to the said special account and the amount to which the person to be reimbursed is entitled shall be paid to him not later than ninety (90) days from the receipt thereof unless the Council by resolution directs otherwise.
- (h) The City shall be discharged of its obligation to reimburse under the aforesaid contract when the total agreed amount of reimbursement shall have been made provided, however, that the City shall not be the guarantor that such funds will ever in fact be fully reimbursed unless funds are received from subsequent users sufficient to do so.

14-1-10. Installation of Lateral Water Lines.

- (a) All water lines which extend from any City water main to any lot, dwelling, structure or vehicle shall be installed by the person, firm or corporation desiring to obtain water service at said location.
- (b) Such installations shall be installed at the cost of the person requiring the water service and shall conform in all respects to the specifications and material requirements of the City Engineer, which specifications and requirements the City Engineer shall cause to be made available to the public.
- (c) Such installations shall include all pipe mechanisms, valves, and other equipment, except meters, which shall be required for proper service as designated by the City Engineer.
- (d) No installation shall be deemed complete until inspected, approved and accepted by the City Engineer, provided however, that the City Engineer may not accept or final any such installation until after three months have elapsed since water under pressure has been introduced into the line.
- (e) Upon acceptance of the said installation that portion of the installation which lies in or upon any dedicated right-of-way or easement shall become the property of the City and the City shall be responsible for the maintenance, repair and

replacement thereof from that time forward.

- (f) Any person requiring such service shall furnish an acceptable performance bond in the amount of \$150.00 for each such installation, provided however, that no such bond shall be required where the person requiring the installation shall have in effect a bond which covers an entire subdivision or development.
- (g) It shall be unlawful for any person who is not authorized by the City Engineer to open or connect into or "tap" any City water main; violation shall be punishable as a misdemeanor.
- (h) Where prior to the effective date of this chapter, application for City installation of lateral connections have been properly made and paid for the City shall furnish the service of installation as agreed when the application was made; when proper application has been made but no fee paid, the applicant shall be entitled to a refund of \$50.00 from the connection fee otherwise to be charged for each connection.

Chapter 2 ALTERNATE WATERING OF LAWNS

14-2-1. Notice.

In the event that any condition exists wherein the Sandy water system is unable to service adequately any given area of the City, the Mayor in his sole discretion may declare an emergency and cause notice to be given by a press release to at least one paper of general circulation in the City and by posting in three public places in the City that water usage must and shall be curtailed and used in accordance with the said notice.

14-2-2. Penalty.

When and after the said notice has been posted and published, it shall be a class B misdemeanor for any person to violate the said schedule by using water in contravention thereto.

ADOPTED ORD. 93-1, 1/5/93, PUBLISHED Jan. 28, 1993.

14-2-3. Time of Day Landscape Watering.

(a) Definitions.

(1) Sprinkler Irrigation: The application of water to land and plants by distributing water under pressure through spray or rotary heads.

(2) Public Landscape: A parcel of land owned by public entities upon which grass and plants require irrigation.

(3) Private Landscape: A parcel of land owned by a private entity upon which grass and plants require irrigation.

(b) Sprinkler irrigation of public and private landscapes is prohibited between the hours of 10:00 a.m. and 6:00 p.m. The provisions of this ordinance shall apply to all landscapes within the City with the following exceptions:

(1) New lawns that require frequent irrigation for establishment purposes within 90 days of planting.

(2) Short cycles required for testing, inspecting and maintaining irrigation systems.

(c) It shall be an infraction for any person to violate the schedule in subsection (b) above by using water in contravention thereto.

Chapter 3 UNIFORM WATER SYSTEM

14-3-1. Title.

This chapter shall be known as the Uniform Water System Ordinance and has as its purpose the establishment of requirements, regulations and procedures for the governing of the Sandy City water system.

14-3-2. Obligations.

Upon taking ownership of property to which the City furnishes water service, the owner shall be obligated to:

- (a) Pay all water charges as assessed by the City; and
- (b) Notify the Sandy City Utility Billing office regarding any change in the status of ownership or termination of service. The owner of property receiving water from the City shall be liable for all water supplied to it until a notice of termination of ownership and reasonable proof of new ownership is provided to the City Utility

Billing office according to its procedures.

14-3-3. Meters.

It shall be unlawful for any person, firm or corporation to use or have in their possession any water from the Sandy City Water system that has not first been passed through and the quantity thereof measured by a water meter approved by the City Water Division, except for the use of approved temporary connections which shall be governed by approved regulations of the City Water Division.

14-3-4. Written Application for Water Service.

Any person desiring a supply of water from the City water system, or any person renting or temporarily occupying a structure wherein water service has been requested, may be required to apply therefor in writing to the City and file an agreement with the City in such form as established by the City Water Division. The City shall have the right to request such written application and agreement from owners, tenants and others as may, in the judgment of the Water Division, be in the best interests of the City.

14-3-5. Obligation of Owner.

In the event that any owner of residential or other property which receives water service from the City shall desire to rent, lease or otherwise give the said property over to the tenancy of another, the owner of such property is obligated as set forth in Section 14-3-2 and the owner of such property shall remain responsible for such water service as may be furnished to such property.

14-3-6. Use Without Payment Prohibited.

It shall be unlawful for any person by himself, his family, servants or agents, to use the water coming through the Sandy City water system without payment therefor as herein provided.

14-3-7. Regular Billings.

Billings for water service as may be offered and performed by the City shall be sent to each customer on a regular basis. Such bills may, if approved by motion of the City Council, present the minimum billing two months in advance of actual water service.

14-3-8. Termination of Service.

When any bill shall have been past due for sixty (60) days or more, water service shall be terminated unless:

- (a) The time is extended for up to fifteen (15) days by order of the Finance Director;
or
- (b) The customer files a written request signed by the customer with the City Finance Director asking for a review of the billing and stating that he has a good reason to believe an error has occurred, which error has resulted in a billing in an amount in

excess of service actually rendered, and setting out the facts and argument in favor of the customer's position.

14-3-9. Stay of Termination.

Any appeal to the City Finance Director as described in Section 14-3-8 shall stay any action by the City to terminate water service for fifteen (15) days or until a determination shall be made by the City Finance Director, whichever shall first occur. The City Finance Director may in his or her reasonable discretion stay or delay any termination of water service.

14-3-10. Partial Payments.

All bills shall be paid in full and no partial payments shall be sufficient, absent the written consent of the Finance Director, to prevent the termination of water service.

14-3-11. Water Rates and Charges.

The rates for water service, connection fees and other related water services as provided by Sandy City shall be fixed by resolution of the City Council.

14-3-12. Special Rates.

The City Council may from time to time fix special rates(1) and conditions for the users of water from the City water system.

14-3-13. Turning on Water After Being Turned off Prohibited.

It shall be unlawful for any person, firm or corporation, after the water has been turned off from premises owned by the person for the nonpayment of water service as hereinbefore provided or for a violation of the rules and regulations pertaining to water use, to turn on or allow the water to be turned on or used without authority. If the water is turned off for violation of this Chapter, or the City's water rules and regulations, or for nonpayment of the rates, such violator shall be assessed and pay such expenses as may be established by resolution of the City Council for shutting off the service before the water service is again restored.

14-3-14. Curtailment.

The City Council may, by resolution, regulate, restrict or limit the use of water during water shortage periods and shall have the power to take all necessary steps and make any regulations it deems required to protect the City water system or the users of City water.

14-3-15. Meter Readings and Estimates.

- (a) No person authorized to read meters and in the employ of the City shall estimate water meter readings unless:
 - (1) The water meter is covered and the meter reader is unable to read the same; or
 - (2) The water meter is broken; or

- (3) Jumpers or by-passes are discovered in the course of attempting to read the meter; or
- (4) A change of ownership occurs without a special reading first being made.
- (b) In each case, the estimate shall be made by a meter reader or billing clerk and no such estimate or payments in accordance therewith shall prevent the City from charging the owner for water actually metered, giving due credit for the payment of estimated charges.

14-3-16. Rules and Regulations.

The City Department of Public Utilities may establish rules and regulations which shall govern the establishment, installation, modification and alteration of the Sandy City water system. Such rules and regulations shall be established in conformance with City policies, ordinances, and regulations.

14-3-17. Permit to Modify Water System.

- (a) It shall be unlawful for any person, firm or corporation to make any extension or modification of any portion of the Sandy City water system for any purpose whatever without first obtaining a permit therefor from the City Water Division. Within twenty-four hours from the completion of any such work for modification of the City water system, the same shall be reported to the Water Division. All work done upon the City water system must conform to such rules, regulations and specifications as may be required by the Water Division.
- (b) It shall be the responsibility of the owner to maintain all of the water system between the water meter and the dwelling unit or building receiving water.
- (c) It shall be unlawful for any person to attach a sprinkling system or other internal water system to the water lateral at any point outside of private property lines.

All such systems shall be installed in conformance with the rules and regulations as established by the City Department of Public Utilities.

14-3-18. Free Access to Water System.

As a condition of a person receiving water from the City, the City Water Manager and his agents shall, upon such notice as is reasonable in the circumstances, at all hours, have free access to places supplied with water from the waterworks system, except as otherwise prohibited by law, for the purposes of examining the apparatus, ascertaining the amount and manner of the use of the water and for such other necessary and reasonable purposes as may be in accordance with the preservation of the City water system.

14-3-19. Responsibility and Liability of City.

- (a) The City shall not be liable or responsible for any loss, damage, or injury, direct or indirect, to a water user, the user's family, guests, tenants, invitees, or any

person, or the real or personal property of any person arising out of or caused by the City water system, or by the cessation or interruption of City water supply, except as provided by Chapter 63-30, Utah Code Annotated.

- (b) It shall be the responsibility of the City to maintain the water system within the public right-of-way to the point at which it connects with a customer's water meter. Such responsibility shall include maintenance of the water meter.

14-3-20. Separate Water Meters.

Every structure, house, building or property which receives water from the Sandy City water system shall have a separate and individual water meter, unless an exception has been granted and authorized by the Sandy City Council.

14-3-21. Taker Only to Use Water.

It shall be unlawful for any water user to permit any person from another premises or property, or any other unauthorized person, to use or obtain water regularly, continually, or frequently from his premises or property or water fixtures.

14-3-22. Pipes to be Kept in Good Repair.

All water users shall keep their service pipe and connections and other apparatus in good repair and protected from frost at their own expense. No person, except under the direction of the Water Division, shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe.

14-3-23. Waste Prohibited.

It shall be unlawful for any water user to waste water or to allow it to be wasted by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets or stops or through basins, water closets, urinals, sinks or other apparatus, or to use the water for purposes for other than those which he has paid, or to use water in violation of the rules and regulations as established from time to time by resolution of the City Council.

14-3-24. Extension of System Outside City.

The City may, from time to time, and in reliance upon statute, ordinance and policy as adopted, extend its water system to areas outside of the corporate limits of the City. In connection with the granting of an extension of the water service by and through the Sandy City water system outside of the corporate limits, there shall be charged a water system extension review fee. Such fee shall be established by the resolution of the City Council and shall be in an amount as calculated to compensate for costs incurred in reviewing the extension of the City water system outside the corporate limits of the City.

14-3-25. Appeals.

- (a) Appeals to the Finance Director or Public Utilities Director. Any appeal of any action with respect to the City water system or service from the water system shall be made in writing signed by the owner or user of water or an attorney representing the same, and shall state with reasonable specificity what action is being appealed, the reason the action is being appealed, and shall state what remedy the person seeks.
- (1) Appeals of City action involving water meter readings and statements for water service shall be made to the Finance Director.
- (2) Appeals of all other City action with respect to the water system, including water connection fees, shall be made to the Public Utilities Director. The Public Utilities Director may refer the matter for decision to the Finance Director if he deems that the Finance Director should more appropriately make the determination in question.
- (b) Handling of Appeals. The department director to whom the appeal is made or to whom it has been referred shall make a decision on the appeal within a reasonable time and shall promptly communicate that decision to the appellant. The director to whom the appeal is made may make an investigation of the facts of the matter, and may convene a formal or informal hearing on the matter, and may request the assistance of other persons to advise the director or to sit with the director to hear any evidence or argument for or against the appeal.
- (c) Appeals to the Mayor. Any appeal of a decision made by the Finance Director or the Public Utilities Director shall be in writing, signed by the owner or user of City water or an attorney representing the same, and shall state with reasonable specificity what action is being appealed, the reason the action is being appealed, and shall state what remedy the person seeks. Each such appeal shall be filed with the Mayor. The Mayor may designate another to decide the matter, or may request the assistance of one or more other persons in deciding the matter. A formal or informal hearing may be convened on the matter but shall not be required. The matter may be referred out for investigation before a decision is made. A decision on the appeal shall be made within a reasonable time, and notice of the decision shall be promptly communicated thereafter to the appellant.

Chapter 4 CROSS CONNECTIONS

14-4-1. Short Title.

This chapter shall be known as the "Sandy City Cross Connection Ordinance", and may be so cited.

14-4-2. Purpose.

The purpose of this ordinance is to protect the public potable water supply from contamination or pollution by isolating within its customers' internal distribution system(s) or its customers' private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public potable water supply system.

14-4-3. Duty to Implement.

Sandy City Public Works Department and Building and Safety Division shall be charged with implementing the terms of this ordinance.

14-4-4. General Requirements.

All connections to the Sandy City potable water system shall conform to the Uniform Plumbing Code as adopted by the State of Utah, the State of Utah Public Drinking Water Regulations, and the Sandy City water ordinances, Title 14, Revised Ordinances of Sandy City.

14-4-5. Discontinuing Service Where Unprotected Cross Connection Exists.

Service of water to any building or location may, in the discretion of Sandy City, be discontinued if a backflow prevention assembly required by this Chapter is not installed, tested, and maintained, or if a backflow prevention assembly has been removed, by-passed or if an unprotected cross connection exists at the building or location. Where the Water Division manager or the Cross Connection Compliance Officer, or his representative, determines that the risk to the Sandy Water system is a serious threat to health or safety, then he or she may immediately terminate water service to a building or location. The Water Division may refuse to restore water service to such building or location until such conditions or defects are corrected. The City shall give reasonable notice to the customer and/or owner of the building or location of the termination of water service to a building or location, and where the consumer could not reasonably be so notified before termination, then notice shall be given promptly afterwards.

14-4-6. Rules and Specifications.

All connections to the Sandy potable water system shall be subject to the requirements of the Uniform Plumbing Code, the Utah State Public Drinking Water Regulations, and City water

system rules and regulations.

14-4-7. Record Keeping.

The Sandy City Water Division, the Building and Safety Division, and the Parks and Recreation Department shall report all installations of Backflow Prevention Devices, Assemblies and methods of cross connection correction installed by or communicated to them, as those terms are defined in the Uniform Plumbing Code and Section 102.4 of the Utah State Public Drinking Water Regulations, to the Sandy City Cross Connection Compliance Officer. The Cross Connection Compliance Officer shall maintain an inventory of all said assemblies, notify customers of annual testing requirements, and maintain test and repair records on all said assemblies.

Chapter 5 WATERSHED PROTECTION

14-5-1. Definitions.

- (a) “Aquifer” means an underground formation that contains and transmits groundwater.
- (b) “Department” means the Sandy City Department of Public Utilities.
- (c) “Director” means the Director of the Sandy City Department of Public Utilities or his/her authorized representative.
- (d) “Owner” means any person who alone, jointly, or severally with others:
 - (1) Has legal title to any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or
 - (2) Has charge, care or control of any premises, dwelling, or dwelling unit, as legal or equitable owner or agent of the owner, or an executrix, administrator, administratrix, trustee or guardian of the estate of the owner.
- (e) “Person” means any individual; corporation, public or private, and its officers; partnership; association; firm trustee; executor of any estate; the State of Utah and its departments, institutions, bureaus, agencies, counties, cities, and political subdivisions; or any legal person recognized by law.
- (f) “Pollution” means any manmade or man-induced alteration of the chemical, physical, geological, radiological or biological integrity of water under standards of the Utah State Department of Health or the United States Environmental Protection Agency (EPA).
- (g) “Sewage” means a combination of liquid or water-carried wastes produced by man, animal or fowl from residences, business buildings, institutions, industrial establishments, agriculture, recreation and other locations, including septic tanks,

privy vaults and cesspools, together with ground, surface and storm water.

- (h) "Watercourse" means aqueducts, pipelines, natural or artificial streams or channels through or in which water flows at any time.
- (i) "Watershed" means the total land area that drains into an existing or proposed Sandy City culinary water diversion point. "Sandy Area Watershed" is a portion of the Watershed adjacent to Sandy City including Little Cottonwood Canyon, Bell Canyon, Middle Fork of Dry Creek, South Fork of Dry Creek, Rocky Mouth Canyon, and Big Willow Canyon, and is shown on the attached Map A. The Watershed, over which Sandy City has jurisdiction, includes all or portions of the drainage areas of the Provo River, Weber River and Duchesne River, but the regulations of this Chapter 5 apply only to the Sandy Area Watershed as depicted in Map A (attached).
- (j) "Well" means any artificially made pipe, shaft or hole sunk into the earth below the ground surface into a water bearing strata from which water may be taken.

14-5-2. Authority Over Watershed

- (a) Pursuant to Utah Code §10-8-15, the City declares that its jurisdiction extends over the entire Watershed, both within and without the Sandy City corporate limits.

14-5-3. Pollution of Waters Prohibited.

- (a) No person may do or be an accomplice to any act that will pollute any source of water over which the City has jurisdiction.
- (b) Any person guilty of polluting any source of water over which the City has jurisdiction is guilty of a class B misdemeanor.

14-5-4. Prohibited Acts.

No person may:

- (a) Bathe, swim or wash clothes, diapers, eating or cooking utensils or any other object of any kind in any spring, marsh, watercourse, water source, water system or reservoir within the Sandy Area Watershed;
- (b) Throw or break bottles or glass anywhere within the Sandy Area Watershed;
- (c) Throw or deposit any garbage or other refuse matter of any kind anywhere within the Sandy Area Watershed, except into a garbage disposal site or container approved by the Director;
- (d) Deposit any garbage, vegetable or other organic matter in any spring, marsh, watercourse, water source or reservoir within the Sandy Area Watershed;
- (e) Deposit, unload, or leave any garbage, or refuse at any place within the Sandy Area Watershed;
- (f) Discharge any firearm within the Sandy Area Watershed except in areas designated for game hunting;
- (g) Interfere with, molest, hinder, or obstruct the Director, the County Health

director, law enforcement officers or any of their agents or employees while in the performance of the duties imposed by this chapter;

- (h) Dig up, cut down, injure, carry off or remove, in any manner, vegetation, wood or underwood, tree or timber, or branches or trees or shrubbery within or from the Sandy Area Watershed, except by permit from the Director;
- (i) Take down any fence, or let down any bars, or to open any gate so as to expose any enclosure, or to ride, drive, walk, lodge, camp or sleep upon the premises of another within the Sandy Area Watershed without the permission of the owner or legal occupant;
- (j) Operate any type of motor vehicle upon the private property of another within the Sandy Area Watershed without first obtaining written permission of the owner or legal occupant of the property;
- (k) Operate any type of motor vehicle upon public property within the Sandy Area Watershed, except for designated public roadways, without obtaining the written permission of the entity or agency that owns or manages the public property.

Nothing in this section prohibits the use of either private or public property by emergency vehicles.

14-5-5. Construction – Prior Approval Required.

- (a) It shall be unlawful to commence construction of any structure, subdivision or other development in the Sandy Area Watershed, except for Little Cottonwood Canyon, without first obtaining approval therefor from the Director as provided in this chapter.
- (b) All construction and other development in the Sandy Area Watershed shall provide for waste and sewage disposal in accordance with all applicable Sandy City, Salt Lake County and state waste disposal system regulations.
- (c) Approvals for the location, construction, and maintenance of all garbage or sewage disposal systems, vaults and privies, and the disposal of garbage and human waste, shall be under the supervision and control of the Director.
- (d) Any person, who owns, operates, maintains or permits the use of any house, cottage, cabin, human habitation, trail, recreational facility, or camping place is required to utilize and maintain the house, cottage, cabin, human habitation, trail, recreational facility, or camping place in a manner that does not cause pollution of any water source of the City, and may be required to provide and maintain a sewage disposal system satisfactory to the Director.
- (e) If any person fails to perform the requirements of (d), the Director may close, seal and prevent the use of such house, cabin, human habitation, trail, recreational facility, or camping place.
- (f) No construction or other development within the Sandy Area Watershed shall be permitted within 100 feet (100') of any stream, wetland, spring, or other water feature.
- (g) All construction and other development in the Sandy Area Watershed, except in Little Cottonwood Canyon, shall conform to the requirements of Title 15 of the Sandy City

Development Code, Sensitive Area Overlay Regulations.

14-5-6. Permit Required for Water Using Facilities.

Unless the enumerated items below are equipped with germ killing appliances and the Director has granted a written permit, no person may construct, use or maintain, within the Sandy Area Watershed, any of the following:

- (a) Closet;
- (b) Privy;
- (c) Chemical toilet;
- (d) Outhouse;
- (e) Cesspool;
- (f) Septic tank and/or drain field
- (g) Urinal;
- (h) Sewage disposal system;
- (i) Public bathhouse;
- (j) Swimming tank; or
- (k) Swimming pool.

14-5-7 Sewage Disposal Requirements

- (a) No person may deposit any human excreta within the Sandy Area Watershed unless:
 - (1) The person is a backpacker or hiker that potholes and covers the excreta with at least six inches of soil and at least two hundred (200) feet from a Watercourse; or
 - (2) The person uses a toilet connected to public sewage or into a chemical toilet approved by the Director or, in Little Cottonwood Canyon, by the Director of the Salt Lake City Department of Public Utilities; or
 - (3) The Director has approved other methods of sewage disposal that do not create any health hazard or pollution problem.
- (b) Construction of any sewer line in the Sandy Area Watershed other than Little Cottonwood Canyon may not begin without prior written approval of the Director.
- (c) The Director shall require the pumping of sewage storage vaults in accordance with applicable laws and regulations.
- (d) A sewage disposal system or privy within any City watershed area shall be sealed

immediately if the Director determines that the sewage disposal system is unsanitary or does not comply with the requirements of applicable laws, ordinances or other regulations.

(e) When the Director determines that a privy or other source of pollution is a hazard to the Sandy Area Watershed or water supply system, or both, the Director shall provide notice to the owner of the property on which the privy or other pollution source of the hazard and an opportunity to either correct the hazardous condition or otherwise address the hazard to the satisfaction of the Director. If the owner cannot be located, or if the hazard cannot be adequately remedied or corrected, the Director may order the destruction and removal of the privy or source of pollution. The owner of property from whence the pollution leaked shall be liable for the cost of all remedies needed to clean up the pollution.

14-5-8. Garbage or Human Waste Disposal Required.

With the exception of Little Cottonwood Canyon, no person, other than Sandy City, may collect or dispose of garbage or human waste within the Sandy Area Watershed without prior written approval of the Director. In Little Cottonwood Canyon, no person, other than Salt Lake City, may collect or dispose of garbage or human waste without the prior written approval of the Salt Lake City Director of Public Utilities.

14-5-9. Alterations to Sanitary Facilities.

In all areas of the Sandy Area Watershed other than Little Cottonwood Canyon;

- (a) No person may alter any existing receptacle for human excreta without first having the plans for such alteration approved by the Director.
- (b) No person may construct, or install any new receptacle for human excreta without first having the plans for such alteration approved by the Director.
- (c) In all cases, receptacle for human excreta shall be operated and maintained in a manner approved by the Director.

(d) Failure to operate a receptacle for human excreta in the manner prescribed by the Director will result in penalties and fines against the owner of the receptacle.

14-5-10. Emptying Requirements for Sanitary Facilities.

- (a) The owner of any vault or other approved receptacle for human excreta within the Sandy Area Watershed shall completely empty the receptacle at least once a year.
 - (b) A notice of violation may be issued by the City if the owner of any vault or other approved receptacle for human excreta allows the receptacle to reach:
 - (1) 80% of capacity; or
 - (2) A point twelve inches or less inches below any removal or leakage point;

or the ceiling of such vault or receptacle; whichever point is lower.

(c) The notice of violation will allow the owner 24 hours to completely empty the receptacle, unless the violation poses an immediate threat to water quality, in which case the Director may order immediate emptying of the receptacle.

(d) If the owner fails to comply with the notice of violation, the house, cabin, human habitation, or camping place, or other facility to which the notice of violation was issued, shall be closed and sealed to prevent the use of such facility until the owner or operator of such facility completely empties the receptacle.

14-5-11. Hauling of Human Waste.

Except in Little Cottonwood Canyon, effluent from all receptacles for human excreta must be hauled by a scavenger licensed by the Director, and must be hauled to an approved sewage disposal site at the cost of the owner or occupant. The licensed scavenger hauling the effluent from the receptacle and the owner of the receptacle shall use due care to prevent contamination of any spring, marsh, watercourse, water source or reservoir within the Sandy Area Watershed. The licensed scavenger shall haul the effluent in a transportable receptacle with a tight-fitting cover, securely fastened during the process of removal to the place of ultimate disposal.

14-5-12. Unlawful to Break Condemning Seal.

(a) No person may break or remove any seal placed by the Director upon any privy, closet, urinal, or other place where human excreta is deposited or to use any such place so sealed until the nuisance is abated.

(b) Any person guilty of the conduct proscribed in (a) shall be guilty of a misdemeanor.

14-5-13. Livestock and Domestic Animals.

(a) Except as provided herein, no livestock or domestic animals are allowed in the Sandy Area Watershed on trails or in areas above any drinking water diversion point. Livestock may be allowed in Big Willow and Little Willow Canyons only with the prior written permission of the Director. Livestock may not be watered from any stream, spring, or other natural water feature in the Sandy Area Watershed without written approval by the Director. All domestic animal waste shall be picked up and removed from the Sandy Area Watershed.

(b) Whenever any loose livestock or domestic animals are found within the Sandy Area Watershed without a written permit from the Director, the City may impound the animals and deal with them according to law.

(c) No person may construct or maintain a dog run, corral, sheep pen, pigpen, chicken coop, stable, or any other structure used for containing livestock or domestic animals within the Sandy Area Watershed without written approval by the Director.

- (d) Horseback riding in the Sandy Area Watershed is allowed only in Big and Little Willow Canyons upon approval of the Director, and only in specifically designated areas. Manure must be removed from trails and disposed no closer than 200 feet from the trail or any stream, spring or other water source. Equestrian access to the Sandy Area Watershed shall be only at designated access points and on designated trails, and shall be subject to regulations established by the Director. Equestrians using the backcountry must feed their horses only U.S. Forest Service approved weed-free feeds.
- (e) Owners or tenants of residences located within the Sandy Area Watershed must keep domestic pets on the owner's property, must house and/or fence domestic animals in a clean and sanitary condition at all times, must clean up all fecal waste on a regular basis, and must dispose of it in an acceptable manner, all subject to the inspection power of the City.
- (f) The regulations of this Chapter are intended to supplement, and not conflict with or supercede, the regulations of the Town of Alta, Salt Lake City and the U.S. Forest Service applicable to Little Cottonwood Canyon and other portions of the Sandy Area Watershed governing livestock and domestic animals, and all other applicable watershed protection regulations.

14-5-14. Camping and Campfire Restrictions.

- (a) No person may camp overnight within the Sandy Area Watershed except within developed camping areas or by U. S. Forest Service permit in the back country. The campsite must be at least one-half mile from any access or other roadway, and at least 200 feet from any spring, stream or other water source.
- (b) All cooking, washing, bathing and burial of human wastes must be at least 200 feet from all Watercourses and established trails. All trash must be carried out of the Sandy Area Watershed.
- (c) All hiking must be limited to established trails in areas so posted.
- (d) Campfires must be located only in developed campgrounds or established fire rings.
- (e) In the Sandy Area Watershed, the Director may:
 - (1) Establish areas in which making or having campfires or bonfires is unlawful;
 - (2) Prohibit smoking, except in designated areas; and
 - (3) Designate day-use only areas.

14-5-15. Fireworks Restrictions.

The Director may impose restrictions and/or prohibitions on the possession and use of fireworks in the Sandy Area Watershed.

14-5-16 Canyon-specific Regulations.

The Director may establish special rules and regulations on a canyon-by-canyon basis in the Sandy Area Watershed to accommodate the specific circumstances of the canyons located in the Watershed.

14-5-17. Penalties.

Any person guilty of conduct proscribed in this chapter will be guilty of a class B misdemeanor.

Endnotes

1 (Popup - Popup)

If City elects to provide water services to non-residents, rates must be reasonable, but may be higher than rates for residents. Cities may consider several factors in setting rates for non-residents: greater cost of servicing non-residents; fact that city may bear risks not shared by nonresident for tort and other financial exposure; tax assessments or debt obligations are assessed against residents, as opposed to non-residents; city taxpayers have made capital contributions to system; and through general city functioning, city taxpayers have assumed risks or contributed to support and development of water resource. Platt v. Town of Torrey, 949 P.2d 325 (Utah 1997)